

JAN 23 2015

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## A BILL FOR AN ACT

RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD  
SECURITY TAX.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. The purpose of this Act is to:

(1) Increase allocations of the environmental response,  
energy, and food security tax collected for purposes  
of energy and food security; and

(2) Make certain special funds and allocations of the  
environmental response, energy, and food security tax  
permanent.

SECTION 2. Section 243-3.5, Hawaii Revised Statutes, is  
amended by amending subsection (a) to read as follows:

"(a) In addition to any other taxes provided by law,  
subject to the exemptions set forth in section 243-7, there is  
hereby imposed a state environmental response, energy, and food  
security tax on each barrel or fractional part of a barrel of  
petroleum product sold by a distributor to any retail dealer or  
end user of petroleum product, other than a refiner. The tax  
shall be \$1.05 on each barrel or fractional part of a barrel of



1 petroleum product that is not aviation fuel; provided that of  
2 the tax collected pursuant to this subsection:

3 (1) ~~[5]~~ 15 cents of the tax on each barrel shall be  
4 deposited into the environmental response revolving  
5 fund established under section 128D-2;

6 (2) ~~[15]~~ 40 cents of the tax on each barrel shall be  
7 deposited into the energy security special fund  
8 established under section 201-12.8;

9 (3) 10 cents of the tax on each barrel shall be deposited  
10 into the energy systems development special fund  
11 established under section ~~[+]304A-2169.1[+]~~; and

12 (4) ~~[15]~~ 40 cents of the tax on each barrel shall be  
13 deposited into the agricultural development and food  
14 security special fund established under section 141-  
15 10.

16 The tax imposed by this subsection shall be paid by the  
17 distributor of the petroleum product."

18 SECTION 3. Act 73, Session Laws of Hawaii 2010, as amended  
19 by Act 107, Session Laws of Hawaii 2014, is amended as follows:

20 1. By amending section 10 to read:



# S.B. NO. 359

"SECTION 10. ~~[Any unexpended or unencumbered funds remaining in the agricultural development and food security special fund established by this Act, as of the close of business on June 30, 2030, shall lapse to the credit of the general fund.]~~ Repealed."

2. By amending section 14 to read:

"SECTION 14. This Act shall take effect on July 1, 2010 ~~provided that sections 2, 3, 4, and 7 of this Act shall be repealed on June 30, 2030, and sections 128D-2, 201-12.8, and 243-3.5, Hawaii Revised Statutes, shall be reenacted in the form in which they read on June 30, 2010]~~."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2015.

INTRODUCED BY:

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*



# S.B. NO. 359

**Report Title:**

Energy; Barrel Tax; Environmental Response, Energy, and Food Security Tax

**Description:**

Increases the amount of the environmental response, energy, and food security tax collections to be deposited into the environmental response revolving fund, energy security special fund, and agricultural development and food security special fund. Makes permanent: (1) the renaming of the environmental response tax to the environmental response, energy, and food security tax; (2) the establishment of the agricultural development and food security special fund; (3) amendments to the environmental response revolving fund and energy security special fund; and (4) allocations of the environmental response, energy, and food security tax to the environmental response revolving fund, energy security special fund, energy systems development special fund, and agricultural development and food security special fund.

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